

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

ANDY STANLEY, et al.,)	
)	Case No. 4:07CV00047
Plaintiffs,)	
)	
v.)	ORDER
)	
YATES MOBILE SERVICES CORP., et al.,)	
)	By: Jackson L. Kiser
Defendants.)	Senior United States District Judge
)	

Before me is Defendants' *Motion to Dismiss*. I heard oral argument on this matter in the on December 13, 2007. This motion has been briefed by the parties and is ripe for decision. For the reasons given in the accompanying *Memorandum Opinion*, I will **GRANT** Defendants' *Motion to Dismiss* with respect to Plaintiffs' MMWA claim under federal law. Because the only remaining claims are based in state law, those claims shall be dismissed without prejudice pursuant to my authority under 28 U.S.C. § 1367(c)(3).

The Clerk is directed to send a copy of this *Order* and the accompanying *Memorandum Opinion* to all counsel of record. The Clerk is also ordered to strike this case from the active docket of this Court.

Entered this 31st day of January, 2008.

s/Jackson L. Kiser
Senior United States District Judge